

# STATEMENT OF SCOPE

## Department of Commerce

Rule No. : Chapter Comm 5

Relating to : Licenses, Certifications and Registrations

### 1. Description of the objective of the rule.

The objective of this rule revision, incorporated into one or more rule packages in chapter Comm 5 and other associated/related chapters, is to address at least the following subjects:

- a) Establish requirements for completion of an approved course for persons with a master plumber-restricted appliance license and who install or modify multipurpose piping systems.
- b) Evaluate and possibly incorporate requirements for the responsibilities for a registered automatic fire sprinkler system tester.
- c) Evaluate and possibly incorporate requirements for continuing education for a registered automatic fire sprinkler system tester.
- d) Create requirements for the licensure of manufactured home installers.
- e) Evaluate and revise license, certification and registration rules as needed to coordinate with other revised codes or programs.
- f) Evaluate and possibly incorporate requirements for the registration of inspection agencies.

### 2. Description of existing policies relevant to the rule and of new policies proposed to be included in the rule and an analysis of policy alternatives.

Under chapter Comm 5, master plumbers who are responsible for the installation of a multipurpose piping system are required to complete an educational course on the system installation. An oversight did not impose a similar requirement on a person with a master plumber-restricted appliance license who may also install and work on multipurpose piping systems.

Chapter Comm 5 currently does not specify any responsibilities or continuing education requirements for registered automatic fire sprinkler system testers. This code project will evaluate the current activities being performed by registered automatic fire sprinkler system testers and study the possible need for continuing education for renewal of the tester registration.

The Department currently does not have any requirements applying to installers of manufactured homes in Wisconsin. In response to recent federal legislation and as a State Adminstrating Agency (SAA), Wisconsin must develop standards for the installation of manufactured homes, including regulations covering the training and licensing of installers of the homes.

### 3. Statutory authority for the rule.

Sections 101.02 (1) and (15) (h) to (j), and 145.14, Stats. Title 42 USC section 5404 requires the federal Department of Housing and Urban Development (HUD) to establish and implement a manufactured home installation program, including the training and licensing of manufactured home installers. HUD's program will be implemented in states that do not have their own qualifying installation program. If Wisconsin remains an SAA, the Department must have a qualifying installation program.

**4. Estimate of the amount of time that state employees will spend to develop the rule and of other resources necessary to develop the rule.**

The Department estimates that it will take approximately 200 hours to develop this rule. This time includes meeting with affected industry groups, then drafting the rule and processing the rule through public hearings, legislative review and adoption. The Department will assign existing staff to develop the rule. There are no other resources necessary to develop the rule.

**5. Summary and preliminary comparison of any existing or proposed federal regulation that is intended to address the activities to be regulated by the rule.**

There are no existing or proposed federal regulations that address the activities to be regulated by the rules applying to a master plumber-restricted appliance or an automatic fire sprinkler system tester.

There are no existing or proposed federal regulations that address the licensure of manufactured home installers. In the March 10, 2003, Federal Register, the Department of Housing and Urban Development (HUD) published an advanced notice of proposed rulemaking relating to the manufactured housing installation program. This notice requested public comments on the licensure of manufactured home installers. An advisory committee is working with HUD to develop draft model standards that HUD may adopt. After review of the model standards, HUD will publish the standards as proposed federal regulations in the Federal Register. State installation standards must provide protection that equals or exceeds the protection provided by the federal regulations enforced by HUD for its national program.

Approved for publication in the Wisconsin  
Administrative Register at Madison, Wisconsin,  
this date: \_\_\_\_\_

DEPARTMENT OF COMMERCE

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Cory L. Nettles, Secretary

Approved for implementation at Madison,  
Wisconsin, this date: \_\_\_\_\_

DEPARTMENT OF COMMERCE

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Cory L. Nettles, Secretary

